

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: 945 Tuskawilla Road – Charles and Cristhyani Selsor, applicant; Request for 1) a rear yard setback variance from 20 feet to 11 feet and 2) a side yard (east) setback variance from 20 feet to 13 feet for an existing shed in RC-1 (Country Homes District).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7387

Agenda Date 8/27/07 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **DENY** the request for 1) a rear yard setback variance from 20 feet to 11 feet and 2) a side yard (east) setback variance from 20 feet to 13 feet for an existing shed in RC-1 (Country Homes District); or
2. **APPROVE** the request for 1) a rear yard setback variance from 20 feet to 11 feet and 2) a side yard (east) setback variance from 20 feet to 13 feet for an existing shed in RC-1 (Country Homes District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Charles and Cristhyani Selsor Location: 945 Tuskawilla Road Zoning: RC-1 (Country Homes District) Subdivision: Winter Springs
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant placed a 14-foot by 30-foot shed (420 square feet) that encroaches 9 feet into the required rear yard setback and encroaches 7 feet into the required side yard setback. • A violation for unpermitted construction was issued. 07-293. • The applicant has submitted for Building Permit review. BP07-6710. • There is no record of prior variances for this property.

STAFF FINDINGS	<p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none">• No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district.• Special conditions and circumstances result from the actions of the applicant. <i>The applicant placed the shed on the property without obtaining the proper permits.</i>• The granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.• The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.• The grant of the variance would not be in harmony with the general intent of Chapter 30.
STAFF RECOMMENDATION	<p>Based on the stated findings, staff recommends denial of the request, unless the applicants can demonstrate a hardship. If the Board should decide to grant a variance, staff recommends the following conditions of approval:</p> <ul style="list-style-type: none">• Any variance granted shall apply only to the shed as depicted on the attached site plan; and• Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.

INDEX OF ATTACHMENTS

Items that are checked are included in the packet

- ☒ Staff Report
- ☒ Application
- ☐ Applicant statement of request
- ☒ Proposed Site Plan
- ☒ Location map
- ☒ Property Appraiser data sheet
- ☐ PUD Commitment Card, *if applicable*

Support information:

- ☐ Proposed elevation drawings, renderings, floor plans, etc
- ☐ Aerials, *if warranted*
- ☐ Plat, *if warranted*
- ☐ Code Enforcement information
- ☐ Building Permit information
- ☐ Correspondence
- ☐ Authorization letter
- ☐ Supporting documentation
- ☐ Letters of support
- ☐ HOA approval letter
- ☐ Pictures provided by applicant
- ☐ Other miscellaneous documents

- ☒ Proposed Development Order

Fee: \$150.00 plus \$50.00 for each additional variance

COPY

Application # BV2007-77
Meeting Date Aug 27, 2007



VARIANCE APPLICATION
SEMINOLE COUNTY PLANNING DIVISION
1101 East First Street Sanford FL 32771 (407) 665-7444

RECEIVED JUN 20 2007

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Charles, Cristhyan Selson
Address: 945 Tuskawilla Rd City: Winter Spgs Zip code: 32708
Project Address: 945 Tuskawilla Rd City: Winter Spgs Zip code: 32708
Contact number(s): 407-222-7522 / 407-699-0001
Email address: _____

Is the property available for inspection without an appointment? ☐ Yes ☐ No

What type of structure is this request for?	
<input checked="" type="checkbox"/> Shed	Please describe: <u>Pre Built from Superior Shed 14 by 30'</u>
<input type="checkbox"/> Fence	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe: RECEIVED JUN 20 2007
<input type="checkbox"/> Covered screen room	Please describe:
<input type="checkbox"/> Addition	Please describe:
<input type="checkbox"/> New Single Family Home	Please describe:
<input type="checkbox"/> Other	Please describe:
<input checked="" type="checkbox"/> This request is for a structure that has already been built.	

What type of variance is this request?				
<input type="checkbox"/> Minimum lot size	Required lot size:		Actual lot size:	
<input type="checkbox"/> Width at the building line	Required lot width:		Actual lot width:	
<input type="checkbox"/> Front yard setback	Required setback:		Proposed setback:	
<input checked="" type="checkbox"/> Rear yard setback	Required setback:	<u>20'</u>	Proposed setback:	<u>11'</u>
<input checked="" type="checkbox"/> Side yard setback	Required setback:	<u>20'</u>	Proposed setback:	<u>13'</u>
<input type="checkbox"/> Side street setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Fence height	Required height:		Proposed height:	
<input type="checkbox"/> Building height	Required height:		Proposed height:	
Use below for additional yard setback variance requests:				
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Total number of variances requested <u>2</u>				

NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless all of the information in the Variance application and submittal checklist are provided to the planning division.

Signed: Charles Selson

FOR OFFICE USE ONLY

Date Submitted:	<u>6-20-07</u>	Reviewed By:	<u>XF</u>
Tax parcel number:	<u>13-21-30-502-0A00-0220</u> Zoning/FLU <u>RC-1/LDR</u>		
<input type="checkbox"/> Legally created parcel (1971 tax roll, 5-acre dev, lot split)			
<input type="checkbox"/> Platted Lot (check easements as shown on lots, in notes or in dedication)			
<input type="checkbox"/> Lot size _____ <input type="checkbox"/> Meets minimum size and width			
<input type="checkbox"/> Application and checklist complete			
Notes:	<u>920 sq ft.</u> <u>By Attach for accessory structures 20' in RC-1</u>		

VARIANCE SUBMITTAL CHECKLIST

Please return this checklist with your application!

<i>After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.</i>	
	1. Completed application.
	2. Owner's authorization letter (if needed). <i>This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp</i>
	3. Provide a legible 8 1/2 x 11 inch site plan with the following information. NOTE: Please use your property survey for your site plan, if available. See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.
	<input type="checkbox"/> Please start with a clean survey (ex: white out old approval stamps)
	<input type="checkbox"/> Size and dimension of the parcel
	<input type="checkbox"/> Location and name of all abutting streets
	<input type="checkbox"/> Location of driveways
	<input type="checkbox"/> Location, size and type of any septic systems, drainfield and wells
	<input type="checkbox"/> Location of all easements
	<input type="checkbox"/> Existing or proposed house or addition (Label existing, label proposed, and include square footage and dimensions of each)
	<input type="checkbox"/> Existing and/or proposed buildings, structures and improvements (Label existing, label proposed, and include square footage and dimension of each)
	<input type="checkbox"/> Building height
	<input type="checkbox"/> Setbacks from each building to the property lines
	<input type="checkbox"/> Location of proposed fence(s)
	<input type="checkbox"/> Identification of available utilities (ex: water, sewer, well or septic)
	4. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.

CRS Painting/Charles Selson
 945 Tusawilla Rd
 Winter Springs, Fla
 32708

Shed is 13' on side and
 11' on rear From Boundary
 Line.

1:407 788 1820

Jun. 28 2006 11:17AM P2

FOX NO. : 4876561156

FROM : BOUNDARY AND MAPPING

8-28-06; 2:25PM; Canean Title Ins.

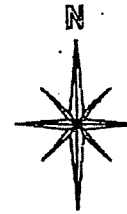
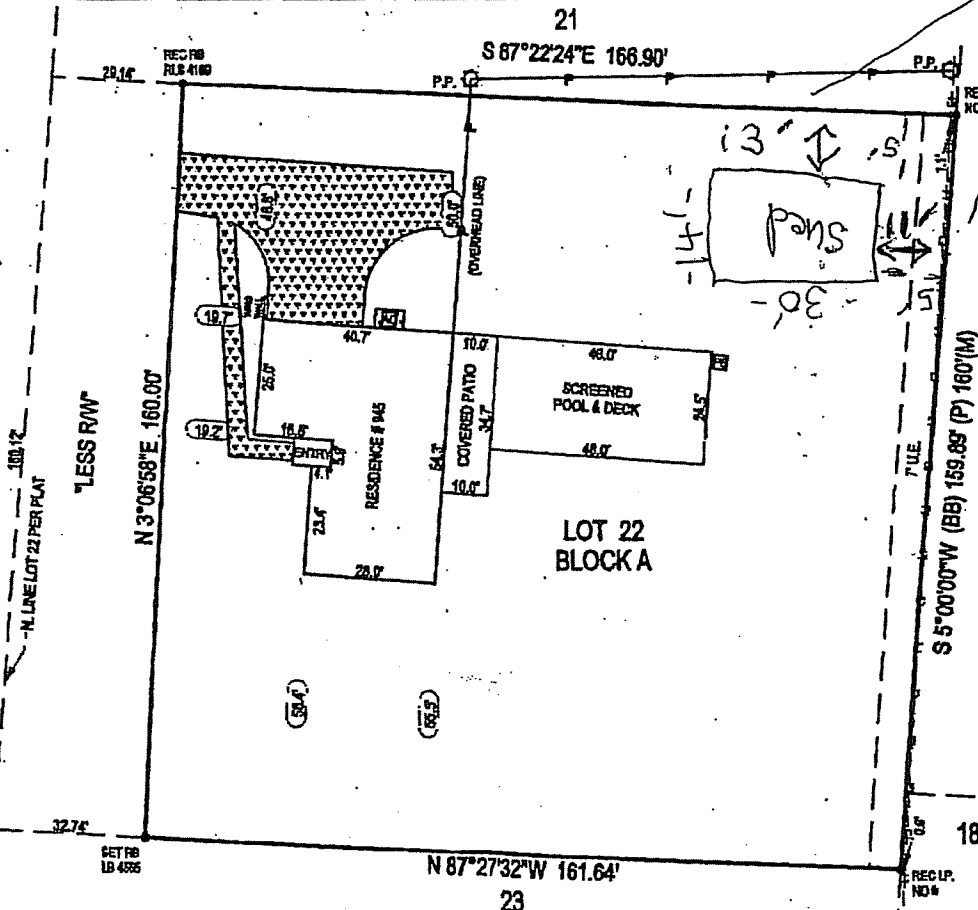
NOTES:
 1. THIS SURVEY WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THIS SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OR UNRECORDED EASEMENTS THAT AFFECT THIS PROPERTY.
 2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
 3. THIS SURVEY IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY.
 4. DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
 5. BEARINGS ARE BASED ON RECORD PLAT DATUM AND ON THE LINE SHOWN AS BASE BEARING (BB).
 6. PROPERTY HEREON LOCATED IN ZONE "X" PER F.L.R.M. COMMUNITY PANEL NO. 120289 0146 E DATED 04-17-05.

JOB NO.: 06-1890
 DATE:
 FIELD: 06-27-06
 SIGNED: 06-28-06
 DRAWN BY: JWW/BS
 P.C.: S.M.
 CHECKED: JWW



Boundary
 And
 Mapping
 Associates, Inc.
 108 WEST ORANGE STREET
 ALTAMONTE SPRINGS, FL
 32714
 PH. (407) 696-1155

TUSCAWILLA ROAD (RW VARIES)



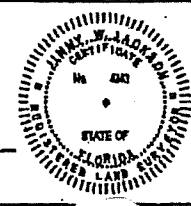
SCALE: 1" = 30'

CERTIFIED TO:
 CHARLES SELSOR
 CANAAN TITLE INSURANCE AGENCY
 BANK OF AMERICA
 CHICAGO TITLE INSURANCE COMPANY

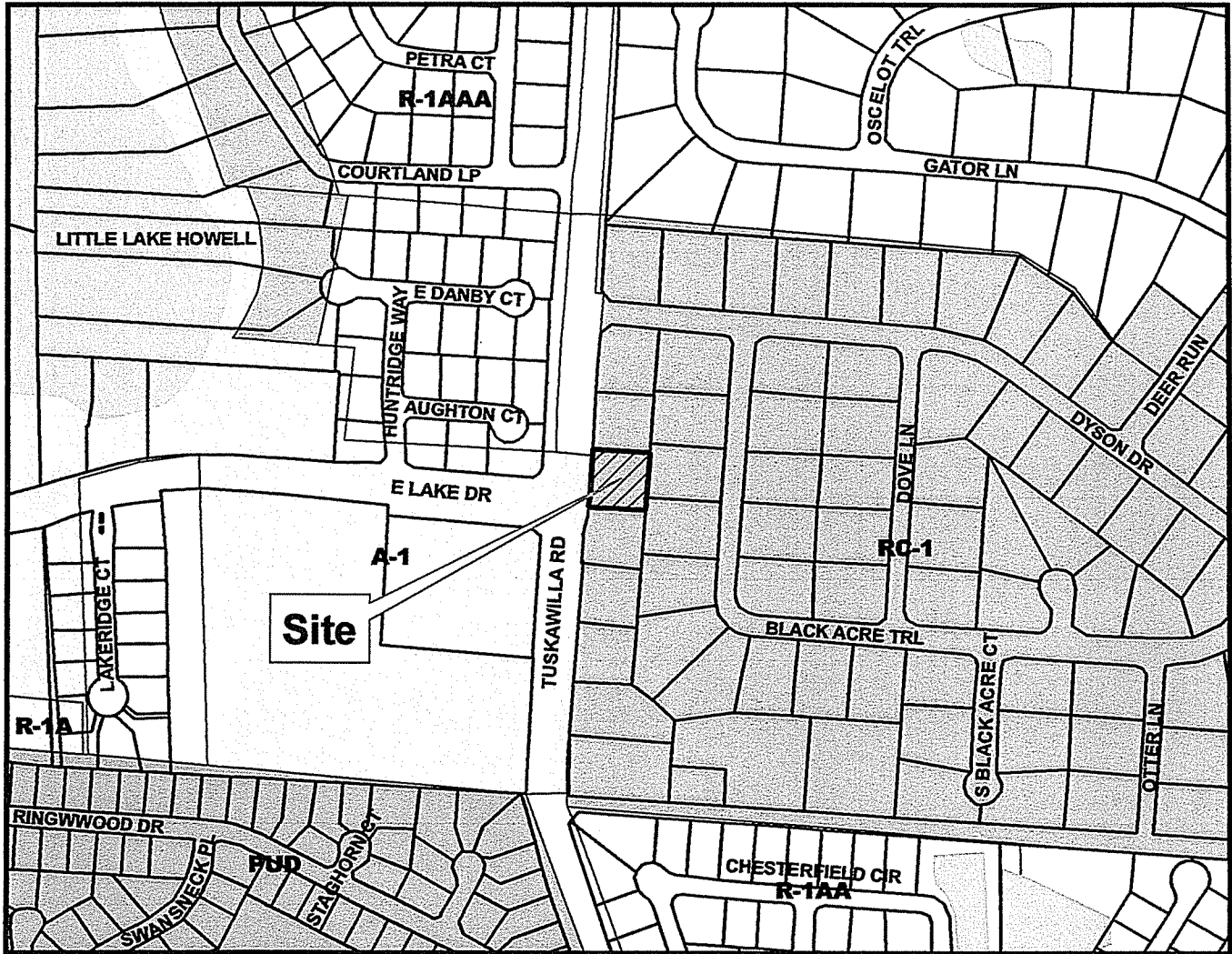
DESCRIPTION: LOT 22, BLOCK A (LESS ROAD R/W ON WEST),
 WINTER SPRINGS, ACCORDING TO THE PLAT THEREOF, AS
 RECORDED IN PLAT BOOK 15, PAGE(S) 81, OF THE PUBLIC
 RECORDS OF SEMINOLE COUNTY, FLORIDA.

LEGEND
 REC - RECOVERED
 L.P. - IRON PIPE
 L.C. - ELECTRIC CAP &
 C.M. - CONCRETE MONUMENT
 R - RADIAL
 R.A. - RADIAL
 R.N. - NOT RADIAL
 R.D. - RADIAL
 P - PER PLAT
 D - DIMENSIONED
 P.C. - POINT OF CURVATURE
 P.T. - POINT OF TANGENCY
 CONCRETE
 P.P. - POINT OF REVERSE CURVE
 R.P. - RADIAL POINT
 R - RADIAL
 L - LENGTH OF ARC
 CA - CENTRAL ANGLE
 U.E. - UTILITY EASEMENT
 D.E. - DRAINAGE EASEMENT
 L.E. - LANDSCAPE EASEMENT
 P.E. - POOL EQUIPMENT
 P.P. - POWER POLE
 X - CHAIN LINK FENCE
 W - WOODEN FENCE

Not valid without the signature and the
 original record of a Florida Licensed
 surveyor and mapper. Additions and
 deletions to survey maps or reports by
 other than the signing party or parties is
 prohibited without written consent of the
 signing party or parties.










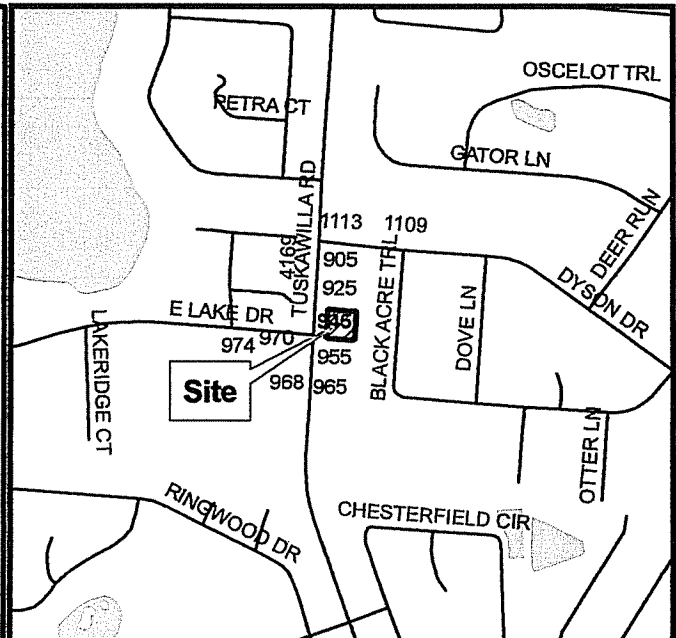
Cristhyani and Charles Selsor
945 Tuskawilla Road
Winter Springs, Florida 32708



Seminole County Board of Adjustment
August 27, 2007
Case: BV2007-77 (Map 3158, Grid B7)
Parcel No: 13-21-30-502-0A00-0220

Zoning

 BV2007-77	 R-1AA
 A-1	 R-1A
 RC-1	 PUD
 R-1AAA	



PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508																																																
GENERAL Parcel Id: 13-21-30-502-0A00-0220 Owner: SELSOR CHARLES & CRISTHYANI Mailing Address: 945 TUSKAWILLA City,State,ZipCode: WINTER SPRINGS FL 32708 Property Address: 945 TUSKAWILLA RD WINTER SPRINGS 32708 Subdivision Name: WINTER SPRINGS Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (2007) Dor: 01-SINGLE FAMILY		2007 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$171,624 Depreciated EXFT Value: \$7,420 Land Value (Market): \$75,000 Land Value Ag: \$0 Just/Market Value: \$254,044 Assessed Value (SOH): \$254,044 Exempt Value: \$25,000 Taxable Value: \$229,044 Tax Estimator																																														
SALES <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>06/2006</td> <td>06320</td> <td>1169</td> <td>\$300,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>TRUSTEE DEED</td> <td>11/2005</td> <td>06022</td> <td>1443</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>PROBATE RECORDS</td> <td>07/2005</td> <td>05800</td> <td>1413</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>08/2003</td> <td>04963</td> <td>1391</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	06/2006	06320	1169	\$300,000	Improved	No	TRUSTEE DEED	11/2005	06022	1443	\$100	Improved	No	PROBATE RECORDS	07/2005	05800	1413	\$100	Improved	No	QUIT CLAIM DEED	08/2003	04963	1391	\$100	Improved	No	2006 VALUE SUMMARY 2006 Tax Bill Amount: \$3,914 2006 Taxable Value: \$242,883 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS											
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																																										
WARRANTY DEED	06/2006	06320	1169	\$300,000	Improved	No																																										
TRUSTEE DEED	11/2005	06022	1443	\$100	Improved	No																																										
PROBATE RECORDS	07/2005	05800	1413	\$100	Improved	No																																										
QUIT CLAIM DEED	08/2003	04963	1391	\$100	Improved	No																																										
LAND <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>100,000.00</td> <td>\$75,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	100,000.00	\$75,000	LEGAL DESCRIPTION PLATS: <input type="text" value="Pick..."/> LEG LOT 22 BLK A (LESS RD ON W) .604 AC WINTER SPRINGS PB 15 PG 81																																		
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																											
LOT	0	0	1.000	100,000.00	\$75,000																																											
BUILDING INFORMATION <table border="1"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Base SF</th> <th>Gross SF</th> <th>Living SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1971</td> <td>9</td> <td>816</td> <td>2,990</td> <td>2,341</td> <td>CB/WD/SDNG COMBO</td> <td>\$171,624</td> <td>\$206,776</td> </tr> </tbody> </table> Appendage / Sqft BASE SEMI FINISHED / 400 Appendage / Sqft UPPER STORY FINISHED / 1125 Appendage / Sqft OPEN PORCH FINISHED / 24 Appendage / Sqft GARAGE FINISHED / 625 NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished Permits		Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1971	9	816	2,990	2,341	CB/WD/SDNG COMBO	\$171,624	\$206,776	EXTRA FEATURE <table border="1"> <thead> <tr> <th>Description</th> <th>Year Blt</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>POOL GUNITE</td> <td>1979</td> <td>512</td> <td>\$4,096</td> <td>\$10,240</td> </tr> <tr> <td>COOL DECK PATIO</td> <td>1979</td> <td>692</td> <td>\$969</td> <td>\$2,422</td> </tr> <tr> <td>SCREEN ENCLOSURE</td> <td>1979</td> <td>2,264</td> <td>\$1,811</td> <td>\$4,528</td> </tr> <tr> <td>ALUM PORCH NO FLOOR</td> <td>1979</td> <td>340</td> <td>\$544</td> <td>\$1,360</td> </tr> </tbody> </table> NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.		Description	Year Blt	Units	EXFT Value	Est. Cost New	POOL GUNITE	1979	512	\$4,096	\$10,240	COOL DECK PATIO	1979	692	\$969	\$2,422	SCREEN ENCLOSURE	1979	2,264	\$1,811	\$4,528	ALUM PORCH NO FLOOR	1979	340	\$544	\$1,360
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																																							
1	SINGLE FAMILY	1971	9	816	2,990	2,341	CB/WD/SDNG COMBO	\$171,624	\$206,776																																							
Description	Year Blt	Units	EXFT Value	Est. Cost New																																												
POOL GUNITE	1979	512	\$4,096	\$10,240																																												
COOL DECK PATIO	1979	692	\$969	\$2,422																																												
SCREEN ENCLOSURE	1979	2,264	\$1,811	\$4,528																																												
ALUM PORCH NO FLOOR	1979	340	\$544	\$1,360																																												

SEMINOLE COUNTY - Case Inquiry - General Information & Names

Functions Options Help

6/10/2007 10:57:05 AM

Case nbr070000293

Property address, ID945 TUSKAWILLA RD322954

13-21-30-502-0A00-0220

on NameWINTER SPRINGS

Case status, descACACTIVE

Case type, desc, estblUNPRUNPERMITTED CONSTRUCTION60507

Origination code, descAPANON PHONE

Default inspector ID134JASON RUCKER

Tenant name, number

Case credit balance00

View

Name	Name type	Disposition
SELSOR CHARLES & CRISTHYANI	OW OWNER	

OK

Exit

Cancel

Help